

Message Text

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21 15

ACTION L-03

INFO OCT-01 AF-10 ARA-16 EA-11 EUR-25 NEA-10 RSC-01 IO-14

ISO-00 DRC-01 CIAE-00 DODE-00 PM-07 H-03 INR-10

NSAE-00 NSC-10 PA-04 PRS-01 SPC-03 SS-20 USIA-15

ACDA-19 EB-11 SCA-01 SY-10 A-01 USSS-00 FBIE-00 /207 W

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TO SECSTATE WASHDC 0301

INFO AMEMBASSY LONDON

UNCLAS USUN 4022

LONDON FOR NELSON

E.O. 11652: N/A

TAGS: UNGA, PINS

SUBJ: UNGA--LEGAL COMMITTEE--PROTECTION OF DIPLOMATS

1. SIXTH COMMITTEE VOTED 47(US)-30(EE'S, NUMBER OF LA'S, FRANCE AND A FEW AFRO-ASIANS)-26 OCT 17 TO FOLLOW PROCEDURE SET PUT IN PARA 6 OF A/C.6/L.898 OF VOTING ON AMENDMENTS WHICH RAISE ISSUES OF PRINCIPLE AND REFERRING TO DRAFTING COMMITTEE THOSE ACCEPTED AS WELL AS MERE DRAFTING AMENDMENTS. GONZALEZ GALVEZ INDICATED VOTE WOULD NOT AFFECT NEGOTIATIONS BY CO-SPONSORS TO REACH AGREEMENT ON AMENDMENTS. (BELGIAN REP HAD ANNOUNCED THAT ARGENTINA, SPAIN, BELGIAN WOULD PROBABLY AGREE ON COMMON TEXT OF AMENDMENT TO ARTICLE 2.)

2. JAPAN ANNOUNCED REVISED AMENDMENTS INCORPORATING NETHERLANDS AMENDMENT AND ELIMINATING REQUIREMENT OF KNOWLEDGE CONTAINED IN A/C.6/L.912/REV.1. THAILAND CLARIFIED AMENDMENTS PRESENTED ON ARTICLE 2 (A/C.6/L.931) STATING THAT "SERIOUS" REFERRED TO ATTACKS CAUSING SERIOUS INJURY RATHER THAN MODE OF ATAACK. FIRST READING
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DISPOSITION OF ARTICLE 2 HELD BRIEFLY IN ABEYANCE PENDING

RESULTS OF NEGOTIATIONS.

3. FRG, CZECH, AND USSR INTRODUCED AMENDMENTS TO ARTICLE 3 CONTAINED IN A/C.6/L.917, A/C.6/L.910, AND A/C.6/L.906, RESPECTIVELY. BRAZIL THOUGHT CZECH AND SOVIET PROPOSALS ACCEPTABLE BUT SUGGESTED THAT COMMON TEXT BE FORMULATED FROM FRG, CZECH AND SOVIET AMENDMENTS. GUATEMALA VOICED STRONG OBJECTION TO FRG PROPOSAL THAT WOULD REQUIRE STATES TO PROVIDE INFORMATION ON KIDNAPPING OF DIPLOMATIC AGENT AND SUGGESTED ALTERNATIVE LANGUAGE, TO BE DISTRIBUTED OCT. 18.

4. UK INTRODUCED AMENDMENT TO ARTICLE 4 (A/C.6/L.929) TO DELETE "TO ALL OTHER STATES PARTY" AND SUBSTITUTE "TO THE STATE TO WHICH THE ALLEGED OFFENDER APPEARS TO HAVE FLED AS WELL AS TO ALL OTHER STATES APPEARING TO HAVE JURISDICTION OVER THE CRIME." BRAZIL SUGGESTED NOTIFYING INTERNATIONAL ORGANIZATIONS CONCERNED. FRG APPROVED. ISRAEL PROPOSED THAT DRAFTING COMMITTEE CONSIDER REPLACEMENT OF "ALL STATES PARTIES" BY "CONCERNED OR INTERESTED STATES". NORWAY CONCURRED, NOTING THAT OTHER PERTINENT ARTICLES SHOULD ALSO BE CHANGED TO "INTERESTED STATES".

5. CZECHOSLOVAKIA INTRODUCED AMENDMENT TO ARTICLE 5 (A/C.6/L.910) TO DELETE PARA 2 BUT AFTER COMMENTS ON IMPORTANCE, AGREED RETAIN PARA 2 OF ARTICLE 5 AS SEPARATE ARTICLE.

6. ISRAEL RAISED DIFFICULTIES WITH ARTICLE 5 OVER WORD "IMMEDIATELY" (PREFERRED ARTICLE 36 OF VIENNA CONVENTION ON CONSULAR RELATIONS "WITHOUT DELAY") AND AMBIGUITY CONCERNING PERSON ENTITLED TO MAKE COMMUNICATION.

7. SOVIETS INTRODUCED AMENDMENTS TO ARTICLE 5 CONTAINED A/C.6/L.906. SWEDEN EXPRESSED RESERVATION OVER SOVIET PROPOSAL TO ADD "OR, IF HE IS A STATELESS PERSON, IN WHOSE TERRITORY HE PERMANENTLY RESIDES," AFTER "OF WHICH THE ALLEGED OFFENDER IS A NATIONAL". SPAIN NOTED THAT ARTICLE 2 ON JURISDICTION SHOULD BE CONNECTED WITH ARTICLE 5 ON PROSECUTION OR EXTRADITION, SINCE BOTH SHOULD UNCLASSIFIED

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BE HARMONIOUS RE INSTANCES IN WHICH EACH ARTICLE ACTIVATED.

8. ALL AMENDMENTS TO ARTICLES 3, 4 AND 5 CONSIDERED "DRAFTING" AMENDMENTS AND THESE ARTICLES SUBMITTED TO DRAFTING COMMITTEE, WHICH MEET AGAIN MORNING OCT 18. CONSIDERATION ARTICLE 6 IN SIXTH COMMITTEE TO BEGIN AFTERNOON OCT. 18.

9. COMMENT: STRONG LEADERSHIP BY CHAIRMAN (GONZALEZ

GALVEZ) BEGINNING PAY OFF IN TERMS OF COMITE MAKING
RESPECTABLE PROGRESS.
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